

FILED

2005 Jun 22 AM 09:35
 U.S. DISTRICT COURT
 2005 Jun 18 AM 10:10
 U.S. DISTRICT COURT
 N.D. OF ALABAMA

A CERTIFIED TRUE COPY

MAY 23 2005

INTEST SAWYER, KELL
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF LA

2005 MAY 27 PM 1:52

LORETTA G. WHYTE
CLERK

DOCKET NO. 1657

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY - 5 2005

FILED
CLERK'S OFFICE**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-9)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 350 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, ___ F.Supp.2d ___ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

CLERK'S OFFICE
A TRUE COPY

MAY 23 2005
[Signature]

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

Inasmuch as no objection is pending at this time, the stay is lifted.

MAY 23 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Fee _____
 Proba ___
 Dated *7/17/05*
 C.RmDep *403*
 Doc. No *403*

**SCHEDULE CTO-9 - TAG- ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DISTRICT DIV. C.A.#</u>		<u>EDLA SEC L/3</u>
ALABAMA NORTHERN		
ALN 1 05-643	Richard J. Harris v. Merck & Co., Inc.	05-1979
ALN 2 05-586	Herman D. Spivey, et al. v. Merck & Co., Inc.	05-1980
ALN 2 05-672	Mary J. McMeans, et al. v. Merck & Co., Inc.	05-1981
ALN 4 05-572	Pamela Mitchell v. Merck & Co., Inc., et al.	05-1982
ALN 4 05-642	Curtis E. Gentry v. Merck & Co., Inc.	05-1983
ALN 4 05-680	Kenneth Roden v. Merck & Co., Inc.	05-1984
ALN 6 05-641	Linda K. Tidwell v. Merck & Co., Inc.	05-1985
ALABAMA SOUTHERN		
ALS 1 05-211	Cathy Larrimore Constantino, et al. v. Merck & Co., Inc.	05-1986
ARKANSAS EASTERN		
ARE 3 05-44	Carl Kelley v. Merck & Co., Inc.	05-1987
ARE 3 05-46	Ronald Meeker, et al. v. Merck & Co., Inc.	05-1988
ARE 4 05-514	Leslie Kay Gourley, etc. v. Merck & Co., Inc.	05-1989
ARIZONA		
AZ 2 05-716	Adelene M. Hubbs v. Merck & Co., Inc.	05-1990
CALIFORNIA CENTRAL		
CAC 2 05-1825	Brian Axelson v. Merck & Co., Inc.	05-1991
CAC 2 05-1843	Valerie Noriega, et al. v. Merck & Co., Inc.; et al. Vacated 5/19/05	
CAC 2 05-2051	Maria Ceballos, et al. v. Merck & Co., Inc.	05-1992
CALIFORNIA EASTERN		
CAE 2 05-606	Allen Hurlburt v. Merck & Co., Inc.	05-1993
CAE 2 05-656	Leonard Lagden v. Merck & Co., Inc., et al. Opposed 5/23/05	
CAE 2 05-660	Larry Graham v. Merck & Co., Inc., et al.	05-1994
CALIFORNIA NORTHERN		
CAN 3 05-1196	Vivian Machun, et al. v. Merck & Co., Inc.	05-1995
CAN 3 05-1256	Nora Olson, et al. v. Merck & Co., Inc., et al. Opposed 5/13/05	
CALIFORNIA SOUTHERN		
CAS 3 05-570	Elaine Casey v. Merck & Co., Inc., et al.	05-1996
CONNECTICUT		
CT 3 05-491	Marianne Chambers, et al. v. Merck & Co., Inc., et al.	05-1997
CT 3 05-529	Timothy A. Baskay, et al. v. Merck & Co., Inc.	05-1998
CT 3 05-541	Carol Ann Silva, et al. v. Merck & Co., Inc.	05-1999
CT 3 05-543	JoAnn Malek v. Eric Rosenberg, M.D., et al. Opposed 5/23/05	
DISTRICT OF COLUMBIA		
DC 1 04-2188	James C. Houston v. Merck & Co., Inc.,	05-2000
FLORIDA MIDDLE		
FLM 6 05-449	Conchita Merced-Torres, et al. v. Merck & Co., Inc., et al. Opposed 5/17/05	
FLM 6 05-472	Samuel Diaz, et al. v. Merck & Co., Inc. Opposed 5/17/05	